

The Supreme Court of South Carolina

Terry Neil Hamby, Jr., Petitioner,

v.

State of South Carolina, Respondent.

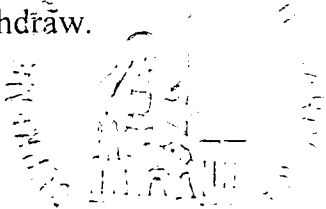
Appellate Case No. 2015-001829

ORDER

This matter is before the Court on a petition for a writ of certiorari following the denial of petitioner's application for post-conviction relief.

Petitioner's counsel asserts that the petition is without merit and requests permission to withdraw from further representation. Petitioner has not filed a *pro se* petition.

Petitioner alleges he did not knowingly and voluntarily waive his right to direct appeal. After careful consideration of the entire record, as required by Johnson v. State, 294 S.C. 310, 364 S.E.2d 201 (1988), we find no issues of merit. We further find a direct appeal would, in any event, be to no avail because the circuit court had subject matter jurisdiction to accept petitioner's guilty plea and no issue was preserved for direct review. We deny the petition and grant counsel's request to withdraw.



A handwritten signature in black ink, appearing to read "A. S. Souter", written over a horizontal line.

C.J.

FOR THE COURT

Columbia, South Carolina

July 14, 2016

cc:

Patrick Lowell Schmeckpeper, Esquire

Wanda H. Carter, Esquire

Terry Neil Hamby, Jr., #353487